

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

BENJAMIN L. DEWITT,)	
)	
Plaintiff,)	
)	
v.)	Case No. 04-3386-CV-S-NKL-SSA
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

Pending before the Court is Plaintiff Benjamin Dewitt's ("Dewitt") Motion for Attorney's Fees [Doc. 14]. On June 3, 2005, the Court granted Dennis's Motion to Reverse the ALJ's decision and to Remand the case to the Commissioner for further consideration. (Order [Doc. 12].) The Court also directed the Clerk of the Court to enter a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure. *Id.*

Pursuant to 28 U.S.C. § 2412, the Court may award reasonable attorney's fees to the prevailing party in any civil action brought against any official of the United States acting in his or her official capacity. Plaintiff initially requested an award of fees in the amount of \$3, 375.00. Plaintiff and Defendant have subsequently agreed to an award in the amount of \$3,000.00. After consideration, the Court finds that the fees agreed to by the parties are reasonable.

Accordingly, it is hereby

ORDERED that Plaintiff's Motion for Attorney's Fees [Doc. 14] is GRANTED.

Plaintiff is awarded \$3,000.00 in attorneys' fees.

s/ Nanette K. Laughrey

NANETTE K. LAUGHREY

United States District Judge

Dated: September 6, 2005

Jefferson City, Missouri